

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

MARTIN O. LONG,

*

Plaintiff,

*

vs.

*

Case Number: 2:06cv816-MHT

STATE FARM FIRE AND
CASUALTY COMPANY,

*

*

Defendant.

RESPONSE TO MOTION FOR EXTENSION OF TIME
WITHIN WHICH TO FILE A REPLY TO SUMMARY JUDGMENT MOTION

Defendant opposes the motion for extension of time for Plaintiff to respond to its summary judgment to the extent set forth below. Because of the scheduling order, it was required to file its dispositive motion early in the case and before it had done any discovery. Plaintiff is now requesting that it be allowed to delay its response to the end of discovery. Defendant has no objection to Plaintiff having the additional time; however, Defendant should also be allowed to use what is developed in the discovery process to file a new dispositive motion or to supplement its dispositive motion.

s/ James B. Newman

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

F. Tucker Burge
Burge & Burge
2001 Park Place North, Suite 850
Birmingham, Alabama 35203

this 3rd day of April, 2007.

s/James B. Newman
OF COUNSEL